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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS DIVISION

TAMMY R. BOGROFF,)	Case No. 2:13-cv-00267-JCM-NJK
)	
Plaintiff,)	STIPULATION TO REOPEN
)	
v.)	
)	
CAROLYN W. COLVIN, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	

IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with the approval of the Court, that the above-captioned action be reopened. On February 5, 2014, the Court remanded the above-captioned action for further administrative proceedings and retained jurisdiction under sentence six of 42 U.S.C. § 405(g). The parties stipulated to remand because the administrative law judge relied on evidence that did not pertain to Tammy R. Bogroff ("Plaintiff") in rendering his decision. The proceedings on remand have culminated into the administrative law judge's unfavorable decision dated June 12, 2015. This decision became the final decision of Carolyn W. Colvin ("Defendant") on August 11, 2015.

Now that the administrative proceedings have concluded, reopening is necessary. In a sentence-six remand case, the Court retains jurisdiction following the remand. See Melkonyan v. Sullivan, 501 U.S. 89, 98; 111 S. Ct. 2157; 115 L. Ed. 78 (1991) (District Court retains jurisdiction over Social Security cases remanded under 42 U.S.C. § 405(g), sentence six, and where the final administrative decision is favorable to one party or the other, the Commissioner is to return to Court following completion of the administrative proceedings on remand so that the Court may enter a final judgment or, as in this case, a dismissal); see also Shalala v. Schaefer, 509 U.S. 292, 298–300 (1993).

It is therefore appropriate to reopen the above-captioned action. Upon reopening, Defendant will file her answer and certified administrative record within 30 days of the Court's order reopening the above-captioned matter.

Date: November 3, 2015

ROHLFING & KALAGIAN, LLP

/s/ Marc V. Kalagian

MARC. V. KALAGIAN

Date: November 3, 2015

DANIEL G. BOGDEN
United States Attorney

/s/ Sharon Lahey

SHARON LAHEY
Special Assistant United States Attorney

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 4, 2015



HON. NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE